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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,096	06/01/2000	Michael Heideman	AIRF-01013US0-MCF/KJD	7724
23910	7590	02/15/2005	EXAMINER	
FLIESLER MEYER, LLP FOUR EMBARCADERO CENTER SUITE 400 SAN FRANCISCO, CA 94111			NGUYEN, THU V	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Allowability**

Application No.

09/588,096

Applicant(s)

HEIDEMAN, MICHAEL

Examiner

Thu Nguyen

Art Unit

3661

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 8/19/04 and the enclosed examiner's amendment.
2. ☒ The allowed claim(s) is/are 1-10, 17, 20-25 (now renumbered as claims 1-17).
3. ☒ The drawings filed on 6/1/00 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>11/12/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Steven J. Svoboda (Reg. No. 44,366) on November 12, 2004.

The application has been amended as follows:

**In the claim:**

Replace claims 1, 10 and 17 with the following:

1. (Currently amended) A method for obtaining a travel time, comprising the steps of:
  - receiving at a remote location a search category from a communication device;
  - identifying a plurality of locations in the search category which are within a search area, wherein the search area is determined based upon selected potential pathways located around an origin, the potential pathways being selected based upon characteristics of each of the potential pathways, including but not limited to speed limit, number of turns, and potential traffic congestion;
  - computing a first travel time from the origin to a first location in the plurality of locations;
  - storing the first travel time and respective first location; and

transmitting the first location and the first travel time from the remote location to the communication device;

wherein the communication device is one of a telephone and a personal digital assistant.

10. (Currently Amended): A method for obtaining a travel time, comprising the steps of:

receiving at a remote location a search category from a communication device;

identifying a plurality of locations in the search category which are within a search area, wherein the search area is determined based upon selected potential pathways located around an origin, the potential pathways being selected based upon characteristics of each of the potential pathways, including but not limited to speed limit, number of turns, and potential traffic congestion;

determining whether the search area should be expanded based upon the plurality of locations;

estimating a first travel time by dividing the distance from the origin to a first location by a maximum speed;

determining whether the estimated first travel time is less than a predetermined limit;

computing the first travel time from the origin to the first location in the plurality of locations;

storing the first travel time and respective first location;

computing a second travel time from the origin to a second location in the plurality of locations;

sorting the first travel time with the second travel time based upon ascending values;

compiling a list from the sorted first travel time and second travel time, the list including travel time and location address; and

transmitting the list from the remote location to the communication device;

wherein the communication device is one of a telephone and a personal digital assistant.

17.(Currently Amended): A method for obtaining a list of targets, comprising the steps of:

receiving a request for a search category from a communication device;

identifying a plurality of locations in the search category which are within a search area, wherein the search area is determined based upon selected potential pathways located around an origin, the potential pathways being selected based upon characteristics of each of the potential pathways, including but not limited to speed limit, number of turns, and potential traffic congestion;

identifying a plurality of targets in the search category which are within the search area;

computing a travel time for at least one of the plurality of targets from the origin to the target;

sorting each of the plurality of targets for which a travel time has been computed by the respective travel time;

compiling a list of the sorted plurality of targets; and

displaying the list to a user via the communication device;

wherein the communication device is one of a telephone and a personal digital assistant.

***Reason for Allowance***

2. The following is an examiner's statement of reasons for allowance:

Prior arts of record do not disclose a method for obtaining a travel time disclosed in claims 1, 10, and 17. Specifically, prior art of record do not disclose identifying a search area which is determined based upon selected potential pathways located around the present location of the communication device, the potential pathways are selected based upon characteristics of each of the potential pathways including speed limit, number of turns and potential traffic congestion.

The closest prior arts of record of Kaplan et al (US 6,401,034) teaches defining the search area in fig.10-14, Kaplan also teaches defining the search area based upon the speed limit characteristic of the pathways (col.8, lines 42-45). However, Kaplan does not teach considering all the potential pathways around the current location of the communication device and selecting

Art Unit: 3661

the pathways that meets certain characteristics requirement such as speed limit, number of turns, etc. Fig.4 of the present application show the search area which includes all selected pathways around the communication device 100 that meets certain characteristic requirement, the search area 161 or 167 does not include pathways (such as the railroads) that do not meet certain characteristic requirement. Kaplan does not teach defining such the search area. The search area of Kaplan includes just the pathways connecting the current location of the communication device to a destination, and Kaplan does not consider and included other pathways surrounding the current location of the communication device that meets the required characteristics. In short, Kaplan does not teach considering the all pathways surrounding the current location of the communication device, and selecting and including all the pathways that meet the defined characteristic such as speed limit, number of turns, etc. in the search area.


3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

Art Unit: 3661

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703) 305-8233. The fax phone number for this Group is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

  
**THU V. NGUYEN**  
**PRIMARY EXAMINER**  
November 12, 2004